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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT SEATTLE**

10 LARISA SOPKA, DANIELA SOPKA,
11 TATYANA SOPKA,

12 Plaintiff,

13 vs.

14 WEA SOUTHCENTER LLC, d/b/a
15 WESTFIELD SOUTHCENTER MALL, a
16 Delaware limited liability company doing
17 business in the state of Washington; URW
18 WEA LLC, a Delaware limited liability
19 company doing business in the State of
20 Washington; THE CHEESECAKE
21 FACTORY RESTAURANTS, INC., a
22 California corporation doing business in the
23 State of Washington; WESTFIELD, LLC, a
24 Delaware limited liability company doing
25 business in the State of Washington;
26 WESTFIELD PROPERTY
MANAGEMENT LLC, a limited liability
company doing business in the State of
Washington; WESTFIELD AMERICA
LIMITED PARTNERSHIP, a Delaware
limited partnership doing business in the
State of Washington; WESTFIELD DDC
INC., a Delaware corporation doing
business in the state of Washington;
WESTFIELD DEVELOPMENT INC. d/b/a
WESTFIELD DEVELOPMENT OF
WASHINGTON INC., a Delaware
corporation doing business in the State of
Washington; SOUTHCENTER OWNER
LLC, a Delaware limited liability company
doing business in the State of Washington;

NO. 2:24-cv-00011-BJR

**STIPULATION RE NECESSARY
AND PROPER CORPORATE
DEFENDANTS**

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STIPULATION RE NECESSARY AND PROPER
CORPORATE DEFENDANTS

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ATTORNEYS AT LAW

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1 JOHN AND JANE DOES 1-5, individuals
or entities,

2
3 Defendants.

4 The parties have reached an agreement regarding the necessary and proper corporate
5 defendants among the following defendants Plaintiffs have named in the case: WEA
6 Southcenter LLC, d/b/a Westfield Southcenter Mall; URW WEA LLC; Westfield, LLC;
7 Westfield Property Management LLC; Westfield America Limited Partnership; Westfield DDC
8 Inc.; Westfield Development Inc. d/b/a/ Westfield Development of Washington Inc.; and
9 Southcenter Owner LLC (collectively, "Westfield Entities"). The following recitals and
10 stipulations comprise this agreement.

11 Plaintiffs have included the Westfield Entities in their complaint to ensure that they have
12 identified the correct defendant or defendants with the responsibility and legal duty for tort
13 events within the Southcenter Mall complex. Further, Plaintiffs have sought to ensure that they
14 have included the correct defendants for securing insurance policies, discovery, and/or other
15 assets to cover potential liability exposure for the damages sought in their lawsuit.

16 After investigation, counsel for the Westfield Entities indicates that among the
17 Westfield Entities, Defendant Southcenter Owner LLC is the only necessary defendant for
18 purposes of meeting the goals sought by plaintiffs as set out above. The Westfield Entities,
19 collectively, have asked Plaintiffs to dismiss by voluntary non-suit: WEA Southcenter LLC,
20 d/b/a Westfield Southcenter Mall; URW WEA LLC; Westfield, LLC; Westfield Property
21 Management LLC; Westfield America Limited Partnership; Westfield DDC Inc.; and Westfield
22 Development Inc. d/b/a/ Westfield Development of Washington Inc. (collectively the
23 "Dismissed Westfield Entities") at this point, affirmatively warranting that all Dismissed
24 Westfield Entities are superfluous and unnecessary.

25 To facilitate this request, the Dismissed Westfield Entities have agreed to toll the statute
26 of limitations for all Plaintiffs' claims against the Dismissed Westfield Entities which would be

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1 dismissed by voluntary non-suit and, in the event Plaintiffs deem it necessary at some point, to
 2 permit the amendment of the Complaint to add the Dismissed Westfield Entities back into the
 3 suit without objection, without the risk of a motion to dismiss under the statute of limitations,
 4 and without motion for continuance as a result. Additionally, Defendant Southcenter Owner
 5 LLC agrees to (1) waive any argument or defense that any of the Dismissed Westfield Entities
 6 owned, possessed, or controlled the premises at issue in this lawsuit at the time of the incident;
 7 (2) waive any argument or defense attempting to apportion fault to any of the Dismissed
 8 Westfield Entities; and (3) will not assert that any information or document that is otherwise
 9 discoverable is not subject to disclosure or production because the information or document is
 10 in the possession or control of one of the Dismissed Westfield Entities.

11 Plaintiffs accept this proposal and its conditions from the Westfield Entities. Plaintiffs
 12 will dismiss by voluntary non-suit the Dismissed Westfield Entities in exchange for the tolling
 13 agreement and the right to add the Dismissed Westfield Entities back in without objection and
 14 without creating grounds for a continuance. Plaintiffs will circulate a stipulated voluntary non-
 15 suit order to dismiss the Dismissed Westfield Entities by June 7, 2024.

16 SIGNED this 31st day of May, 2024.

17
18 **PFAU COCHRAN VERTETIS AMALA PLLC**

19 By: /s/ Darrell L. Cochran

20 Darrell L. Cochran, WSBA No. 22851
 21 *Attorney for Plaintiff*

22 By: /s/ Kevin M. Hastings

23 Kevin M. Hastings, WSBA No. 42316
 24 *Attorney for Plaintiff*

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WOOD SMITH HENNING & BERMAN LLP

By: /s/ Timothy D. Shea
Timothy D. Shea, WSBA No. 39631
*Attorney for Southcenter and Westfield
Defendants*

Chock Barhoum LLP

By: /s/ Sarah Tuthill-Kveton
Sarah Tuthill-Kveton, WSBA No. 51801
Attorney for Defendant Cheesecake Factory

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CERTIFICATE OF SERVICE

I, **Katie Hedger**, hereby declare under penalty of perjury under the laws of the State of Washington that that I am employed at Pfau Cochran Vertetis Amala, PLLC, and that on the below date I caused to be served via **ECF** the foregoing document all counsel of record.

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Westfield Property Management LLC; Westfield America Limited Partnership;
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Attorney for Defendant Cheesecake Factory

DATED this 31st day of May, 2024.

/s/ Katie Hedger
Katie Hedger
Legal Assistant